Registration certificate

No: ENRE00136105

This registration certificate is issued by the administering authority and takes effect from: 4 July 2012

The anniversary day for the purposes of the Annual Return remains: 3rd February

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place; subject to the conditions set out in development approval **IPDE00120705D11** attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Mr Peter Grant
53 Enkelmanns Road
ALBERTON QLD 4207

Place:-
Lot 166 Plan W31175, Lot 2 Plan RP203911

Located at:-
53 Enkelmanns Road,ALBERTON QLD 4207

Registered Activities: -
ERA 1 Aquaculture Threshold 1(a) - cultivating or holding crustaceans in enclosures that are on land and have a total area of more than 100m2 to 10ha

ERA 1 Aquaculture Threshold 2(a) - cultivating or holding marine, estuarine or freshwater organisms, other than crustaceans, in enclosures that are on land and have a total area of more than 100m2 to 10ha

Brett Glosko
Delegate
Department of Environment and Heritage Protection
Environmental Protection Act 1994

04-JUL-2012

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

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Notice of Decision – Development Approval

This notice is issued by the Environmental Protection Agency pursuant to Section 3.5.15 of the Integrated Planning Act 1997 to advise of a decision or action.

Mr Peter Donald Blackmore Grant
53 Enkelmanns Road
ALBERTON QLD 4207

Our reference: EHBNE3647

Attention: Peter Grant

Dear Mr Grant

Re: Application for Development Approval

The Environmental Protection Agency, acting as assessment manager, wishes to advise that your application for development approval, received on 03-FEB-2005, has been assessed, and was approved subject to conditions on 14-JUL-2005.

1. Property/Location:

Street address - 53 Enkelmanns Road ALBERTON QLD 4207

Lot/Plan - Lot 166 Plan W31175, Lot 2 Plan RP203911

2. Details of the decision

Aspect of Development
- Development Approval for a MCU involving an ERA
- ERA 1(b) Aquaculture - cultivating or holding marine, estuarine or freshwater organisms (other than molluscs) in ponds or tanks or in enclosures in waters ("impoundments") - if the total area of the impoundments is less than 5 ha and wastes are released to waters.

EPA Ref Number
- IPDE00120705D11

3. Effectiveness and currency periods

This development approval takes effect -

- From the time the decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court; or
- When the submitter's appeal period ends, if there is a submitter and the applicant does not appeal the decision to the court; or
- Subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court. [refer to sections 3.5.19 and 3.5.20 of the Integrated Planning Act 1997 for further details]

4. **Other necessary development permits**
   This approval pursuant to the Integrated Planning Act 1997 does not remove the need to obtain any further approval for this development, required by this or other State and/or Commonwealth legislation. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required. Applicants should also comply with all relevant legislation.

5. **Codes for self-assessable development**
   Any self-assessable development for an environmentally relevant activity conducted in conjunction with this approval, must comply with the relevant code of environmental compliance.

6. **IDAS referral agencies**
   The IDAS referral agencies and their response to each approval type required for this application are:

   Concurrence Agencies: Nil

   Advice Agencies: Nil

8. **Submissions**
   This application did not trigger Public Notification.

9. **Appeal rights**
   An attached extract from the *Integrated Planning Act 1997* details your appeal rights regarding this decision. You should seek independent advice to confirm all your available avenues.

If you require more information, please contact Janelle Bush, the Project Manager, on the telephone number listed below.

Yours sincerely

L. Zambelli

Luke Zambelli
Delegate
Environmental Protection Agency

Enquiries:
SouthReg Env Ops (Brisbane) Water
Floor 15, 288 Edward Street
BRISBANE QLD 4000
Phone: (07) 3227 7984
Fax: (07) 3225 8723

Attachment – Appeal Rights (extract from the *Integrated Planning Act 1997*)

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APPEAL RIGHTS - Extract from the *Integrated Planning Act 1997*

Division 8—Appeals to court relating to development applications

4.1.27 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following -
  (a) the refusal, or the refusal in part, of a development application;
  (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;
  (c) the decision to give a preliminary approval when a development permit was applied for;
  (d) the length of a currency period;
  (e) a deemed refusal.

(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the **"applicant's appeal period"**) after the day the decision notice or negotiated decision notice is given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

4.1.28 Appeals by submitters

(1) A submitter for a development application may appeal to the court only against -
  (a) the part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A; or
  (b) for an application processed under section 6.1.28(2) – the part of the approval about the aspects of the development that would have required public notification under the repealed Act.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following-
  (a) the giving of a development approval;
  (b) any provision of the approval including-
    (i) a condition of, or lack of condition for, the approval; or
    (ii) the length of a currency period for the approval.

(3) However, a submitter may not appeal if the submitter-
  (a) withdraws the submission before the application is decided; or
  (b) has given the assessment manager a notice under section 3.5.19(1)(b)(ii).

(4) The appeal must be started within 20 business days (the **"submitter's appeal period"**) after the decision notice or negotiated decision notice is given to the submitter.

4.1.29 Appeals by advice agency submitters

(1) Subsection (1A) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(1A)The advice agency may, within the limits of its jurisdiction, appeal to the court about any part of the approval relating to the assessment manager's decision under section 3.5.14 or 3.5.14A.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 3.5.19(1)(b)(ii), the advice agency may not appeal the decision.

4.1.30 Appeals for matters arising after approval given (co-respondents)

(1) For a development approval given for a development application, a person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request for an extension of the currency period for an approval;
  (b) a notice giving a decision on a request to make a minor change to an approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Subsection (1)(a) does not apply if the approval resulted from a development application (superseded planning scheme) that was assessed as if it were an application made under a superseded planning scheme.

Division 9 - Appeals to court about other matters

4.1.31 Appeals for matters arising after approval given (no co-respondents)

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice -
  (a) a notice giving a decision on a request to change or cancel a condition of a development approval;
  (b) a notice under section 3.5.33A(9)(b) or 6.1.44 giving a decision to change or cancel a condition of a development approval.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

4.1.32 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.
(2) The appeal must be started within 20 business days after the day notice is given to the person.

4.1.33 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until -
  (a) the court, on the application of the entity issuing the notice, decides otherwise; or
  (b) the appeal is withdrawn; or
  (c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the enforcement notice is about -
  (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
  (b) carrying out development that is the demolition of a work.

4.1.34 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 5.4.8 or 5.5.3 for the payment of compensation may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the claim.

(2) An appeal under subsection (1)(a) must be started with 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.35 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 2.6.19, may appeal to the court against -
  (a) the decision; or
  (b) a deemed refusal of the request.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

4.1.37 Appeals from tribunals

(1) A party to a proceeding decided by a tribunal may appeal to the court against the tribunal's decision, but only on the ground -
  (a) of error or mistake in law on the part of the tribunal; or
  (b) that the tribunal had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

(2) An appeal against a tribunal's decision must be started within 20 business days after the day notice of the tribunal's decision is given to the party.

4.1.38 Court may remit matter to tribunal

If an appeal includes a matter within the jurisdiction of a tribunal and the court is satisfied the matter should be dealt with by a tribunal, the court must remit the matter to the tribunal for decision.

Division 10 - Making an appeal to court

4.1.39 How appeals to the court are started

(1) An appeal is started by lodging written notice of appeal with the registrar of the court.
(2) The notice of appeal must state the grounds of the appeal.
(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

4.1.41 Notice of appeal to other parties (div 8)

(1) An appellant under division 8 must give written notice of the appeal to-
  (a) if the appellant is an applicant-
    (i) the chief executive; and
    (ii) the assessment manager; and
    (iii) any concurrence agency; and
    (iv) any principal submitter whose submission has not been withdrawn; and
    (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
  (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal-
    (i) the chief executive; and
    (ii) the assessment manager; and
    (iii) any referral agency; and
    (iv) the applicant; or
  (c) if the appellant is a person to whom a notice mentioned in section 4.1.30 has been given-
    (i) the chief executive; and
    (ii) the deciding entity; and
    (iii) any entity that was a concurrence agency or building referral agency for the development application to which the notice relates.
(2) The notice must be given within-
  (a) if paragraph (b) does not apply-10 business days after the appeal is started; or
  (b) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal-2 business days after the appeal is started.
(3) The notice must state-
  (a) the grounds of the appeal; and
  (b) if the person given the notice is not the respondent or a co-respondent under section 4.1.43 -
  (c) that the person may, within 10 business days after the day the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

4.1.42 Notice of appeal to other parties (div 9)

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started give written notice of the appeal to -
  (a) if the appellant is a person to whom a notice mentioned in section 4.1.31[73] has been given - the entity that gave the notice; or
  (b) if the appellant is a person to whom an enforcement notice is given - the entity that gave the notice and if the entity is not the local government, the local government; or
  (c) if the appellant is a person dissatisfied with a decision about compensation - the local government that decided the claim; or
  (d) if the appellant is a person dissatisfied with a decision about acquiring designated land - the designator; or
  (e) if the appellant is a person who is disqualified as a private certifier - the entity disqualifying the person and if the entity disqualifying the person is not the accrediting body, the accrediting body; or
  (f) if the appellant is a party to a proceeding decided by a tribunal - the other party to the proceeding.
(2) The notice must state the grounds of the appeal.

4.1.43 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under section 4.1.27 to 4.1.29.
(2) The assessment manager is the respondent for the appeal.
(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
(4) Any submitter may elect to become a co-respondent to the appeal.
(5) If the appeal is about a concurrence agency response, the concurrence agency is a co-respondent for the appeal.
(6) If the appeal is only about a concurrence agency response, the assessment manager may apply to the court to withdraw from the appeal.
(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
(8) A person to whom a notice of appeal is required to be given under section 4.1.41 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
(9) For an appeal under section 4.1.30-
  (a) the assessment manager is the respondent; and
  (b) any entity that was a concurrence agency or a building referral agency for the development application to which a notice under section 3.6.3 relates may elect to become a co-respondent.

4.1.44 Respondent and co-respondents for appeals under div 9

(1) This section applies if an entity is required under section 4.1.42 to be given a notice of an appeal.
(2) The entity given written notice is the respondent for the appeal.
(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.
(4) The second entity mentioned in the provision may elect to be a co-respondent.

4.1.45 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to the appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

4.1.46 Minister entitled to be represented in an appeal involving a State interest

If the Minister is satisfied that an appeal involves a State interest, the Minister is entitled to be represented in the appeal.

4.1.47 Lodging appeal stops certain actions

(1) If an appeal (other than an appeal under section 4.1.30) is started under division 8, the development must not be started until the appeal is decided or withdrawn.
(2) Despite subsection (1), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

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Development Approval

Section 3.5.15

Integrated Planning Act 1997

EPA Permit[1] number:	IPDE00120705D11
Assessment Manager reference:	as above
Date application received by EPA:	03-FEB-2005
Permit[1] Type:	Development Approval for a MCU involving an ERA
Date of Decision:	14-JUL-2005
Decision:	Granted in full with conditions
Relevant Laws and Policies:	*Environmental Protection Act 1994* and any subordinate legislation

Permit[1] Holder Details

Name:
Peter Donald Blackmore Grant

Registered Address:
53 Enkelmanns Road ALBERTON QLD 4207

Postal Address:
53 Enkelmanns Road ALBERTON QLD 4207

Development Description

Property/Location

Lot/Plan:
Lot 166 Plan W31175, Lot 2 Plan RP203911

Street address:
53 Enkelmanns Road ALBERTON QLD 4207

Aspect of Development:
ERA 1(b) Aquaculture - cultivating or holding marine, estuarine or freshwater organisms (other than molluscs) in ponds or tanks or in enclosures in waters ("impoundments") - if the total area of the impoundments is less than 5 ha and wastes are released to waters.

Additional information for applicants

The standard currency periods stated in section 3.5.21 of the *Integrated Planning Act 1997* or the nominated currency period, apply to each aspect of development in this permit. For information on when this permit takes effect and the relevant currency periods, please see point 3 in the Notice of Decision.

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

Contaminated Land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined by Schedule 2 of the *Environmental Protection Act 1994*) is being carried out on the land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming so aware, give notice to the Environmental Protection Agency.

Environmentally Relevant Activities

The aforementioned description of any environmentally relevant activity (ERA) for which this permit is issued is simply a restatement of the ERA as prescribed in the legislation at the time of issuing this permit. Where there is any conflict between the abovementioned description of the ERA for which this permit is issued and the conditions specified herein as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This permit authorises the ERA. It does not authorise environmental harm unless a condition within this permit explicitly authorises that harm. Where there is no such condition, or the permit is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

In addition to this permit, the person to carry out the ERA must be a registered operator under the *Environmental Protection Act 1994*. For the person to become a registered operator, they must apply for a registration certificate under section 73F of the *Environmental Protection Act 1994*.

L. Zambelli

Luke Zambelli
Delegate
Environmental Protection Agency

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

Conditions of the development approval

This development approval consists of the following schedules of conditions relevant to various issues:

The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this development approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Stormwater Management
- Schedule E - Land
- Schedule F - Noise
- Schedule G - Waste Management
- Schedule H - Self Monitoring and Reporting
- Schedule I - Disease Management
- Schedule J - Definitions

Schedule A - Activity

Prevent and/or minimise likelihood of environmental harm.

(A1) In carrying out the environmentally relevant activity to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.

Maintenance Of Measures, Plant and Equipment.

(A2) The operator of the environmentally relevant activity to which this approval relates must:
- (i) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and
- (ii) maintain such measures, plant and equipment in a proper and efficient condition; and
- (iii) operate such measures, plant and equipment in a proper and efficient manner.

Display of Development Approval

(A3) A copy of this development approval must be kept in a location readily accessible to personnel carrying out the activities

Equipment Calibration

(A4) All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.

General

(A5) The operation and maintenance of the aquaculture facility must be carried out by or under the supervision of person(s) competent to operate and maintain the aquaculture facility.

Alterations

(A6) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development approval.

An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.

Site based management plan

(A7) Within 3 months of the date of this approval, a Site Based Management Plan (SBMP) must be implemented and complied with. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all environmentally relevant activities that are carried out.

The Site Based Management Plan must address the following matters:
- Environmental commitments (a commitment by senior management to achieve environmental goals).
- Identification of environmental issues and potential impacts.
- Control measures for routine operations to minimise likelihood of environmental harm.
- Contingency plans and emergency procedures for non-routine situations (including reporting and notification practice).
- Conducting environmental impact assessments.
- Monitoring of compliance with any of the requirements of this development approval.

- A toxic algal management plan, for any wastewater storage or treatment lagoon which must detail how you will manage the actual and potential environmental impacts resulting from any occurrence of toxic algal outbreaks (such as toxic forms of blue-green algae). The toxic algal management plan must address at least the following matters:
  (i) weekly inspections to detect the presence of any bloom;
  (ii) notification and reporting if blue-green algae blooms are confirmed;
  (iii) the collection and analysis of samples if a bloom is suspected; and
  (iv) remedial actions.
- Organisational structure and responsibility.
- Effective communication.
- Staff training.
- Record keeping.
- Periodic review of environmental performance and continual improvement.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Dust Control

(B1) The release of dust and/or particulate matter resulting from the environmentally relevant activity must not cause an environmental nuisance at any nuisance sensitive or commercial place.

(B2) When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring.

(B3) Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:
(i) for a complaint alleging dust nuisance, dust deposition; and
(ii) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

(B4) Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place:
(i) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions); OR
(ii) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with:
- Australian Standard AS 3580.9.6 of 2003 (or more recent editions) 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet -Gravimetric method'; or
- any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

Nuisance

(B5) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the environmentally relevant activity must not cause an environmental nuisance at any nuisance sensitive or commercial place.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Release of Contaminants to Waters

(C1) The only contaminants permitted to be released directly from the place that this development approval relates is treated aquaculture effluent from the on site treatment system and settlement pond.

Release Points

(C2) The contaminants specified in C1 may only be released from the place that this development approval relates to waters, at the release point described below:

Release Point W1 Release to the Albert River via a discharge structure from the settlement pond located near the northern boundary of Lot 2 on RP203911.

(C3) The release of contaminants to waters must be carried out in such a manner, which does not adversely impact on marine plants, mangrove vegetation, the banks or bed of the waterway or the habitat in general. This includes the ongoing stabilisation of the discharge drain to ensure that no disturbance to marine plants, mangrove vegetation, the banks or bed of the waterway or the habitat in general occurs.

Quality of Contaminants Released

(C4) The release of contaminants must occur from the release point W1 and comply with the corresponding release limits listed in Table 1 for each quality characteristic.

SCHEDULE C TABLE 1 - RELEASE QUALITY CHARACTERISTIC LIMITS

			Release Limit		
Monitoring Release Point	**Monitoring location**	**Quality Characteristics**	**Minimum**	**Maximum**	**Frequency**
W1	Settlement pond outlet	pH (pH units)	6.5	8.5	In–situ monitoring daily whilst discharging
W1	Settlement pond outlet	Total Nitrogen (mg/L)		3	Once during the week of discharge
W1	Settlement pond outlet	Total Phosphorus (mg/L)		0.4	Once during the week of discharge
W1	Settlement pond outlet	Dissolved Oxygen (mg/L)	4.0 or 90% of background value*, whichever is greater		In–situ monitoring daily whilst discharging
W1	Settlement pond outlet	Suspended Solids (mg/L)		20	Once during the week of discharge

*Note: Background value means the value of the quality characteristic measured in the receiving waters up-current of the release on the day of the release.

(C5) Release of contaminants to waters must also comply with the following qualitative characteristics:
- (i) The release must not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other objectionable matter; and
- (ii) The release must not produce any plume or other visible evidence of the release of suspended solids nor contain any other contaminants that adversely affects the values of the receiving environment.

Times of Release

(C6) The release of contaminants to waters from the release point W1 is only permitted at the end of the grow out season except in the event of an emergency. At all other times, wastewater must be treated and reused in the activity.

Volume of Release

(C7) The total volume of treated aquaculture effluent permitted to be released from release point W1 during any one calendar year must not exceed 3600m^3.

Emergency

(C8) In the event of an emergency the release of contaminants to waters outside of the grow out season must comply with the following requirements:
- (i) The waste waters released are treated through the on site treatment system and settlement pond;
- (ii) The quality characteristics of the waste waters comply with Schedule C Table 1; and
- (iii) The release of contaminants is from the release point W1.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Stormwater Management

(D1) Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

(D2) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

(D3) Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.

(D4) Any liquids stored on site that may cause environmental harm, including all chemicals, and fuels must be stored in an effective on-site containment system (including base and walls) that is impervious to the materials stored and sized to contain at least:
- 110% of the tanks volume if a single tank storage; or
- 100% of the largest storage tank plus 10% of the second largest tank if a multiple tank storage; or
- at least 25% of the maximum design storage volume if a drum storage.

(D5) All containment systems must be roofed where practicable.

(D6) Where it is impractical to completely roof a containment system area the holder of this development approval must ensure that any stormwater captured within the bund is free from contaminants or wastes prior to any release.

Acid Sulfate Soil Management

(D7) The latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULFATE SOILS, 2001, ('the Instructions') must be complied with when treating and managing acid sulfate soils at the approved premises.

(D8) Acid sulfate soils must be managed such that contaminants are not directly or indirectly released to any waters.

(D9) Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants including acid sulfate soils or wastes.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Land

Release of Contaminants to Land

(E1) There must be no release nor likelihood of release of any contaminants to land in a manner that may cause environmental harm or contribute to contamination of such land.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Noise

Emission of Noise

(F1) In the event of a complaint about noise that constitutes unreasonable intrusive noise being made to the administering authority, that the administering authority considers is not frivolous or vexatious, then the emission of noise from the approved place must not result in levels greater than those specified in Table 1 of the Noise Schedule.

SCHEDULE F TABLE 1

NOISE LIMITS AT A NOISE SENSITIVE PLACE	
Period	**Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level** $L_{Amax\ adj,\ T}$
7 am - 6 pm	Background noise level plus 5 dB(A)
6 pm - 10 pm	Background noise level plus 5 dB(A)
10 pm - 7 am	Background noise level plus 3 dB(A)
NOISE LIMITS AT A COMMERCIAL PLACE	
Period	**Noise Level at a Commercial Place measured as the Adjusted Maximum Sound Pressure Level** $L_{Amax\ adj,\ T}$
7 am - 6 pm	Background noise level plus 10 dB(A)
6 pm - 10 pm	Background noise level plus 10 dB(A)
10 pm - 7 am	Background noise level plus 8 dB(A)

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Waste Management

General

(G1) The holder of this development approval must not:
- (i) burn waste at or on the approved place; nor
- (ii) allow waste to burn or be burnt at or on the approved place; nor
- (iii) remove waste from the approved place and burn such waste elsewhere.

(G2) Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this development approval.

Off Site Movement

(G3) A record of all waste must be kept detailing the following information:
- (i) date of pickup of waste;
- (ii) description of waste;
- (iii) quantity of waste;
- (iv) origin of the waste; and
- (v) destination of the waste.

Note: Trackable wastes as listed in Schedule 1 of the *Environmental Protection (Waste Management) Regulation 2000* are not covered by this condition. Trackable wastes have similar recording requirements to this condition in accordance with a waste tracking system established under the above Regulation.

(G4) Waste generated in carrying out the environmentally relevant activity must be stored, handled and transferred in a proper and efficient manner. All disposal of waste must be to a proper and appropriate facility that accepts that waste. Regulated waste, if removed from the site, must only be reprocessed, recycled, stored, incinerated or disposed at a licensed regulated waste facility.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Self Monitoring and Reporting

Complaint Recording

(H1) The operator of the environmentally relevant activity must record the following details for all complaints received and provide this information to the administering authority on request:
- (i) time, date, name and contact details of the complainant;
- (ii) reasons for the complaint;
- (iii) any investigations undertaken;
- (iv) conclusions formed; and
- (v) any actions taken.

Monitoring of Waters

(H2) Determinations must be made and records kept of the quality of the contaminants released at release point W1 at the monitoring points and for the quality characteristics and minimum frequencies specified in Schedule C Table 1.

(H3) All determinations of the quality of contaminants released must be:
- made in accordance with methods prescribed in the latest edition of the Environment Protection Agency Water Quality Sampling Manual;
- performed by a person or body possessing appropriate experience and qualifications to perform the required measurements; and
- carried out on samples that are representative of the discharge

Monitoring of the Volume of Releases to Waters

(H4) Determinations must be made and records kept of the total daily volume of water released from release point W1 by use of a method with an accuracy of ± 5% of the actual amount released.

(H5) An interpretive report must be prepared and submitted upon request by the administering authority which details results of all wastewater quality and quantity monitoring, which are required by conditions of this approval. The report must detail compliance and non-compliance results. It is to provide not only the raw data, but also an interpretation of the data.

(H6) The holder of this development approval must notify the administering authority within twenty-eight (28) days of completion of analysis of any result of a monitoring program required by a condition of this development approval, which indicates an exceedance of any limit, specified in this development approval.

Noise Monitoring

(H7) For the purposes of checking compliance with condition F1 and for investigation of any complaint of unreasonable intrusive noise, monitoring and recording of the noise levels from the activities must be undertaken for the following descriptors, characteristics and conditions:
- (i) $L_{Amax, Adj, T}$;
- (ii) $L_{Abg, T}$ or $L_{A90, T}$;
- (iii) $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 99);
- (iv) Max $L_{pA, T}$;
- (v) $L_{Aeq, T}$;
- (vi) The level and frequency of occurrence of impulsive or tonal noise;
- (vii) Atmospheric conditions including temperature, relative humidity and wind speed and direction; and
- (viii) Effects due to extraneous factors such as traffic noise.

(H8) In the event of a complaint about noise that constitutes unreasonable intrusive noise being made to the administering authority that the administering authority considers is not frivolous or vexatious, the holder of this development approval must undertake monitoring to investigate such a complaint upon written request from the administering authority.

(H9) The method of measurement and reporting of noise levels must comply with the Environmental Protection Agency Noise Measurement Manual, Third Edition, 1 March 2000, or more recent editions or supplements to that document as become available.

(H10) The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.

Notification of Emergencies and Incidents

(H11) As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this development approval, the holder of this development approval must notify the administering authority of the release by telephone or facsimile.

(H12) The notification of emergencies or incidents as required by condition H11 must include but not be limited to the following:

(i) the holder of the development approval;
(ii) the location of the emergency or incident;
(iii) the number of the development approval and registration certificate under the *Environmental Protection Act 1994*;
(iv) the name and telephone number of the designated contact person;
(v) the time of the release;
(vi) the time the holder of the development approval became aware of the release;
(vii) the suspected cause of the release;
(viii) the environmental harm caused, threatened, or suspected to be caused by the release; and
(ix) actions taken to prevent further any release and mitigate any environmental harm caused by the release.

(H13) Not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of the development approval must provide written advice of the information supplied in accordance with condition H11 in addition to:

(i) proposed actions to prevent a recurrence of the emergency or incident; and
(ii) outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance.

Exception Reporting

(H14) The holder of this development approval must notify the administering authority within twenty-eight (28) days of completion of analysis of any result of a monitoring program required by a condition of this development approval which indicates an exceedance of any limit specified in this development approval.

(H15) The written notification required by condition H14 above must include:

(i) the full analysis results;
(ii) details of investigation or corrective actions taken; and
(iii) any subsequent analysis.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Disease Management

Pond Conditions

(I1) The holder of this development approval must notify the administering authority of any declared disease or unexplained mortality outbreak requiring treatment and possible drainage of pond contents.

(I2) Disposal of any diseased organisms as specified in condition I1 or water, which has come into contact with diseased organisms, must only be undertaken with the prior agreement of the administering authority.

(I3) Where diseased organisms as specified in condition I1 and affected pond water requires disposal, the holder of this development approval must monitor and keep records of the following:

(i) description of the type of diseased organisms and/or affected water;
(ii) quantity of the diseased organisms and/or affected water;
(iii) intended treatment of the diseased organisms and/or affected water;
(iv) if the diseased organisms are transported off the premises, the name of any waste transporter and/or disposal operator that removed the diseased organisms and the disposal destination of the diseased organisms.

END OF CONDITIONS FOR SCHEDULE I

Schedule J – Definitions

For the purposes of this development approval the following definitions apply:

(J1) **"Act"** means the *Environmental Protection Act 1994*.

(J2) **"administering authority"** means the Environmental Protection Agency or its successor.

(J3) **"AHD"** means Australian Height Datum, which has been adopted by the National Mapping Council as the datum to which all vertical control for mapping is to be referenced.

(J4) **"aquaculture sludge"** means the solids or sludges which accumulate or deposit on the bottom of a pond as a result of propagation of prawns.

(J5) **"land"** means land excluding waters and the atmosphere.

(J6) **"disease"** means a disease or notifiable event that is listed on a Declared Disease List prepared by the Department of Primary Industries under the Fisheries Act 1994.

(J7) **"mg/L"** means milligrams per litre.

(J8) **"maximum"** means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

(J9) **"minimum"** means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.

(J10) **"range"** means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor lower than the lower release limit stated.

(J11) **"The holder"** means the holder of this development approval.

(J12) **"Total Nitrogen"** means the sum of Organic Nitrogen, Ammonia, Nitrite plus Nitrate, as mg/L of Nitrogen.

(J13) **"Total Phosphorus"** means the sum of the reactive phosphorus, acid-hydrolysable phosphorus and organic phosphorus, as mg/L of Phosphorus. This includes both the inorganic and organic fraction of phosphorus.

(J14) **"Development Condition"** has the meaning given the term in the Environmental Protection Act 1994.

(J15) **"grow out pond"** means a pond, tank, enclosure or other container for the feeding and growing of aquaculture species.

(J16) **"waters"** includes the bed and/or banks of any water(s), storm water runoff and any part of a river, stream, lake, lagoon, pond, dam, swamp, wetland, unconfined surface water, underground water, unconfined water, natural or artificial watercourse, non tidal or tidal waters (including the sea), storm water channel, storm water drain, roadside gutter.

(J17) **"watercourse"** includes land on which rainwater or storm water runoff concentrates and land on or over which rainwater or storm water runoff usually or occasionally flows in concentration in a defined channel, whether:

(a) a natural channel;

(b) a natural channel artificially improved; or

(c) an artificial channel that has changed the course of a natural channel:

The term does not include a closed conduit conveying storm water.

Acid Sulphate Soils definitions

(J18) **"acid sulphate soil"** means a soil, sand, mud or clay containing significant levels of pyrite (iron sulphide), which on exposure to oxidising conditions has resulted in or has the capacity to result in the generation of sulphuric acid in quantities greater than the inherent buffer capacity of the soil.

(J19) **"soil"** means sand, silt, mud, clay, or gravel material and for the purposes of this approval does not include aquaculture pond sludge.

(J20) **"Instructions for the Treatment and Management of Acid Sulfate Soils 2001"** means the document "Instructions for the Treatment and Management of Acid Sulfate Soils 2001", produced by the Queensland Environmental Protection Agency in consultation with the Department of Natural Resources and Mines and the Department of Primary Industries, or more recent additions or supplements to that document as such become available

Noise Definitions

(J21) "$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.

(J22) **"background noise level"** means either:

$L_{A90,\ T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response, or

$L_{Abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.

(J23) "**Max$L_{pA\,T}$**" means the absolute maximum instantaneous A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.

(J24) "**noise sensitive place**" means -

(a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
(b) a motel, hotel or hostel; or
(c) a kindergarten, school, university or other educational institution; or
(d) a medical centre or hospital; or
(e) a protected area; or
(f) a park or gardens.

(J25) **"intrusive noise"** means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

(a) is clearly audible to, or can be felt by, an individual; and
(b) annoys the individual.

In determining whether a noise annoys an individual, regard must be had to Australian Standard 1055.2 - 1989 Acoustics - Description and Measurement of Environmental Noise Part 2 Application to Specific Situations.

(J26) **"commercial place"** means a place used as an office or for business or commercial purposes.

(J27) **"protected area"** means -

(a) a protected area under the *Nature Conservation Act 1992*; or
(b) a marine park under the *Marine Parks Act 1982*; or
(c) a World Heritage Area.

Odour definitions

(J28) **"noxious"** means harmful or injurious to health or physical well-being.

(J29) "**offensive**" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

(J30) **"odour sensitive place"** means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or
- a place used as an office or for business or commercial purposes.

and includes the curtilage of any such place.

END OF CONDITIONS FOR SCHEDULE J

END OF DEVELOPMENT APPROVAL